

HOUSE BILL No. 1281

DIGEST OF INTRODUCED BILL

Citations Affected: IC 13-11-2; IC 13-18-22-2.

Synopsis: Environmental law technical corrections. Corrects cross-references in Title 13 of the Indiana Code concerning environmental law.

Effective: Upon passage.

Wolkins

January 11, 2005, read first time and referred to Committee on Environmental Affairs.

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Introduced

First Regular Session 114th General Assembly (2005)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2004 Regular Session of the General Assembly.

HOUSE BILL No. 1281

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 13-11-2-17 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 17. (a) "Board",
3 except as provided in subsections (b) through ~~(j)~~, (i), refers to:
4 (1) the air pollution control board;
5 (2) the water pollution control board; or
6 (3) the solid waste management board.
7 (b) "Board", for purposes of IC 13-13-6, refers to the northwest
8 Indiana advisory board.
9 (c) "Board", for purposes of IC 13-17, refers to the air pollution
10 control board.
11 (d) "Board", for purposes of IC 13-18, refers to the water pollution
12 control board.
13 (e) "Board", for purposes of:
14 (1) IC 13-19;
15 (2) IC 13-20;
16 (3) IC 13-22;
17 (4) IC 13-23, except IC 13-23-11;



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1 (5) IC 13-24; and

2 (6) IC 13-25;

3 refers to the solid waste management board.

4 (f) "Board", for purposes of IC 13-21, refers to the board of directors
5 of a solid waste management district.

6 (g) "Board", for purposes of IC 13-23-11, refers to the underground
7 storage tank financial assurance board.

8 (h) "Board", for purposes of IC 13-26, refers to the board of trustees
9 of a regional water, sewage, or solid waste district.

10 (i) "Board", for purposes of IC 13-27 and IC 13-27.5, refers to the
11 clean manufacturing technology board.

12 SECTION 2. IC 13-11-2-61 IS AMENDED TO READ AS
13 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 61. "Dredged
14 material", for purposes of this chapter, ~~and IC 13-18-22,~~ means
15 material that is dredged or excavated from an isolated wetland.

16 SECTION 3. IC 13-18-22-2 IS AMENDED TO READ AS
17 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The board
18 may adopt rules under IC 4-22-2 and IC 13-14 not later than February
19 1, 2005, to implement the part of the definition of Class I wetland
20 under ~~IC 13-11-2-25.8(1)(B)~~; **IC 13-11-2-25.8(a)(1)(B).**

21 (b) Before the adoption of rules by the board under subsection (a),
22 the department shall determine the class of a wetland in a manner
23 consistent with the definitions of Class I, II, and III wetlands in
24 IC 13-11-2-25.8.

25 (c) The classification of an isolated wetland that is based on the
26 level of disturbance of the wetland by human activity or development
27 may be improved to a higher numeric class if an action is taken to
28 restore the isolated wetland, in full or in part, to the conditions that
29 existed on the isolated wetland before the disturbance occurred.

30 SECTION 4. **An emergency is declared for this act.**

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